

Marina Del Rey Community Boating Council

Marina Del Rey Outrigger Canoe Club
Los Angeles Rowing Club
Fairwind Yacht Club
United Marina Rowing Association

July 22, 2009

Design Control Board

Peter Phinney, AIA- Chair
Simon Pastucha, Vice Chair
David Abelar, Member
Tony Wong, P.E.- Member
Helena Jubany, Member

Re: Marina Del Rey Design Control Board Meeting
July 23, 2009 @ 2:00pm, Burton W. Chase Community Building

Agenda Item 6.A

New Business, Presentation of the Right-Sizing Parking Study for the Public Parking Lots in Marina Del Rey, California

I am writing to you on behalf of the Marina Del Rey Community Boating Council representing Los Angeles Rowing Club, Marina Del Rey Outrigger Canoe Club, Fairwind Yacht Club, and United Marina Rowing Association. We represent over 500 members that actively use the Mother's Beach recreation area in Marina Del Rey, California.

This letter is in response to the "Right-Sizing Parking Study for the Public Parking Lots in Marina Del Rey, California" dated March 2009 prepared for the LA County Dept of Beaches and Harbors by Raju Associates.

In general, we believe the true usage and potential impact of any changes to parking in the area is not sufficiently addressed through the parking counts in the study including:

1. How do recreational boaters and beachgoers access the beach?
2. How do they use the beach?
3. What are their needs?
4. When do they use the area?
5. How will changes effect the future use and access of the beach?

We feel the study inaccurately portrays the parking needs and usage of our members based on three key areas:

1. Assumptions made on typical days and times to be used for parking counts
2. Determination of Lots included in the Mother's Beach Activity Area
3. Reliance on study purely on numerical parking counts without any context on beach usage and access

These are addressed in further detail below.

Typical Days & Times for Parking Counts

The study claims that parking counts were taken during “typical” weekday and weekend times, however, typical usage by our club members who are very heavy users of this recreation area differs considerably from the study’s definition of “typical” as follows:

1. Times for parking counts

Times for parking counts in the study were taken at 10am, 1pm, 4pm, 8pm. Picking a few days to study parking and extrapolating through the whole year is inadequate to determine parking usage, especially in light of the existing adjacent lots which were not counted in totals (please see section “Reliance on Numerical Data” below for clarification).

Stakeholders who are the actual daily users were never interviewed to determine if the times and dates were adequate to capture the parking usage.

To give you perspective on the amount of typical usage from some of the clubs:

Marina Del Rey Outrigger Canoe Club – Formal practices 6 days per week. 150 members.

Monday: 5:30pm (55 vehicles)
Tuesday: 5:30pm (45 vehicles)
Wednesday: 5:30pm (55 vehicles)
Thursday: 5:30pm (45 vehicles)
Saturday: 7:30am (70 vehicles)
Sunday: 7:30am (70 vehicles)

The above does not include independent usage by club members above and beyond the times listed above.

Our peak competitive racing season runs March through early September. Our recreational season runs from November to February.

LA Rowing Club- Formal practices 6 days per week. 100 members.

Monday: 4:30am – 8am
Tuesday: 4:30am – 8am
Wednesday: 4:30am – 8am
Thursday: 4:30am – 8am
Saturday: 5:30am – 11:00am
Sunday: 5:30am – 11:00am

The above does not include additional independent usage by club members above and beyond the times listed above. End times are approximate.

2. Dates of parking counts

Some of the dates of the parking study do not coincide with the seasonality of our usage including parking counts in September for Casa Escobar (Parcel 27), The Organic Panificio (Parcel 33) and Lot NR well after our peak season is over. Again for reference, our peak competitive racing season runs March through early September. Our recreational season runs from November to February. September and October are our low usage months.

Parking Lots included in Mother's Beach Activity Area

Several lots were used to determine the total inventory of available parking spaces to be included in the Mother's Beach Activity Area. These lots are aggregated into the Mother's Beach Activity Area which may be in the general area of Mother's Beach, but each serve very distinct purposes including different user needs, and need to be looked at independently. Therefore, the total inventory for the area is very inflated, and does not address specific user group needs and access. This is especially important since all these lots are in the process or proposed to be developed. The aggregate totals of the study allow each individual development to shift required parking to an adjacent lot (also under development), which will allow for a "first come first serve" scenario without regard to the needs and usage patterns of this recreational and unique resource.

These lots include:

- Lot 8: OT – 183 Spaces – FantaSea Yachts (partial use)
- Lot 9: NR – 186 Spaces – Mother's Beach- Recreational boat users
- Lot 10: IR – 212 spaces – Mother's Beach- Picnic recreational users
- Lot 11- GR- 262 spaces – Cheesecake Factory--not functional or proximate for recreational use.

The study's number of recommended spaces for Mother's Beach area is 400 spaces. It is important to determine which existing lots truly serve the Mother's Beach area. Parking in lot GR is primarily for commercial purposes, and is not a significant contributor to parking for Mother's Beach. Lot NR is extremely significant for recreational boating usage of Mother's Beach.

All parking lots are not equal. - in particular, Lot 9 NR is unique based on it's proximity to serve recreational boating needs and access which is not available anywhere else in the Marina. It's also important to note that the Mother's Beach area is very unique in that is the only sheltered and protected beach in Los Angeles proper allowing beach access for personal watercraft such as kayakers, outriggers, surf skis, rowers, paddeboarders etc. Not addressing this uniqueness with additional scrutiny defeats the purpose of a parking study to provide guidance in policy and regulatory decisions.

Our member's usage patterns require the following:

1. Quantity of spots to support current and future usage/growth of recreational boating programs.
2. Proximity of spots for access and loading/unloading of equipment.
3. Affordability given our very heavy use of the area.

Reliance of Numerical Data

The study relies heavily on quantitative data of parking counts without truly understanding the needs, access and usage patterns of not only our clubs, but other users of the area (ie Boys and Girls Club of Venice, Kayaks for Kids, independent recreational boaters/ kayakers/ paddleboarders/surfskis/rowers etc.) as well as special events. To illustrate this point, the study makes reference that “one could park in any activity area within the Marina and use the Water Taxi and/or shuttle to reach the final destination”. It is not feasible for a parent with children or a recreational boater loaded with gear whose final destination is Mother’s Beach to park, for example, at Fisherman’s Village and take a water taxi.

It should be noted that the study makes a note in Appendix A2 that “Mother’s Beach activity area public parking demand also includes parking demand associated with kayakers & other recreational users parking in Organic Panificio and Casa Escobar parking lots”.

This note is listed in all parking surveys, which took place in 2005-2007. Since the County was only recently made aware that recreational boaters utilized that parking, this statement is suspect, and calls into question the veracity of the study. There is no real data regarding the actual usage of recreational boater parking patterns.

In addition, these alleged observations took place in specific days (Labor Day, 4th of July, boat parade) which are not necessarily periods of heavy use for recreation boating users of Mother’s Beach, so any “observations” allegedly done would have been useless to determine recreational boating parking usage.

INDEPENDENT PARKING STUDY:

Since we believe the parking study does not adequately represent the real life usage of the lot, we decided to conduct our own informal study to highlight potential flaws in the study.

On Saturday, Nov. 22, 2008, the outrigger and rowing clubs asked our members to park in the pay lot instead of parking at the adjacent restaurant parking lots. We did this so that there would be a record of entries at the parking kiosk which can be verified.

RESULTS:

7:30am 45 vehicles
8:15am 71 vehicles
8:45am 91 vehicles
11:30 am 73 vehicles

This is a typical Saturday in November, with the numbers being significantly higher in summer (possibly 30 more vehicles at the peak time). This plainly shows that the 69 spaces that the County has designated is inadequate. If necessary, we can ask our members to present affidavits stating that the parking study does not reflect our parking patterns.

In conclusion, I would like to stress the following:

1. The Mother's Beach Master plan is predicated on ALL existing parking remaining. Any adjustment proposed would disrupt the Master Plan.
2. The certified LCP specifically states that "no public parking lots are permitted to be converted to other uses other than for public park purposes".
3. The LCP draft response (attached) specifically recommended that NR be left untouched due to it's importance to the recreational boating needs located in Mother's Beach.
4. Public parking for recreational boating use is protected in the LCP, and access to recreational boating is a priority use in the Coastal Plan.
5. The Organic Panificio lot was clearly not studied adequately based on our members experience. Recent LA County Department of Beaches and Harbors actions to potentially enforce ticketing in the lot based on their observations of heavy usage by our members reinforces this point. I would like to acknowledge Santos Kreimann and Paul Wong recently met with members of Marina Del Rey Outrigger Canoe Club and LA Rowing Club to work out a solution on the current parking situation.

Right sizing parking is understandable but access to parking in recreational boating areas should not be based on a minimum standard, but should be provided to allow reasonable access to all recreational boating users, even if that use is not round the clock. Once the parking is gone, it cannot be replaced.

The parking study does not coincide with the actual experience of recreational users of Mother's Beach. Since the recreational boating users we represent consist of daily, and year round stakeholders of Mother's Beach, it is our conclusion that the parking study does not accurately reflect the actual usage parking patterns and parking needs of Mother's Beach.

Lastly, for your reference, I've attached additional documents which highlight many of the concerns above:

- Letter to Design Control Board dated August 28, 2008 from Steve Cho (former President of Marina Del Rey Outrigger Canoe Club)
- Letter to Design Control Board dated December 17, 2008 from members of the Marina Del Rey Recreational Boating Council.
- New Development Periodic Review Recommendations dated April 30, 2009 and submitted to Gina Natoli (Department of Regional Planning) by members of the community working group which consisted of residents, developers, and recreational boaters.
- Letter to Raymond G. Fortner, Jr. (County Counsel) and Peter Douglas (Executive Director, California Coastal Commission) dated April 8, 2009 from Barry A. Fisher.

We appreciate your time to carefully review these materials, and would respectfully request a written response addressing each of the above areas.

Thank you.

Regards,

A handwritten signature in black ink, appearing to be 'CK' with a stylized flourish.

Christopher King
President, Marina Del Rey Outrigger Canoe Club
Marina Del Rey Community Boating Council

cc:

Santos Kreimann
Julie Moore
Steve Napolitano
Michael Tripp
Paul Wong

Marina Del Rey Recreational Boating Council

MdR Outrigger Canoe Club
Los Angeles Rowing Club
Fairwind Yacht Club
United Marina Rowing Assoc.

Barry A. Fisher
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April 8, 2009

Raymond G. Fortner, Jr., County Counsel
County of Los Angeles
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500 West Temple Street
Los Angeles, CA 90012

Peter Douglas, Executive Director
California Coastal Commission
45 Fremont Street
San Francisco, CA 94105-2219

Re: Waterfront Marina Del Rey Project (Parcels 33/NR)EMC Develop.Co.
CEQA Compliance-Save Tara and Riverwatch Cases

Dear Public Officials:

I write as Vice President, Los Angeles Rowing Club (LARC), and also on behalf of the Marina del Rey Community Boating Council, including the Marina del Rey Outrigger Canoe Club (MdROCC), the United Marina Rowing Association (UMRA-I am also a member), and the Fairwind Yacht Club (FYC) whose youth sailing program serves groups including the Boys and Girls Club of Venice. These organizations are the principal public recreational boating groups at Marina Beach ("Mother's Beach") located on Palawan near Admiralty, Marina Del Rey.

The proposed massive, multi-story commercial/residential Waterfront Project (WP) will have significant adverse impacts on Marina Beach recreational use, parking, traffic, water quality, density, sailing wind, boat access, among other things, at what is the single Marina hub of small boat usage, including public access rowing, kayaking, youth sailing programs, and outrigger canoeing. It is only one of four such hubs serving the entire Los Angeles County along with those in Long Beach, King Harbor, and San Pedro. Despite numerous significant environmental impacts, and despite the fact that the WP is advanced in planning and discretionary approvals, there has not yet been prepared any Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA). An EIR must be prepared before the WP proceeds further.

Involved is a some 32,000-square-foot commercial development plus some 292 residential units, consuming a large public parking lot and requiring variances and Local Coastal Plan (LCP) amendments. There is no question that the WP is a major project requiring full CEQA compliance. I say this with some background in the field having been a founding staff attorney with the Sierra Club Legal Defense Fund (now Earthjustice), and having been attorney in many CEQA cases, including Friends of Westwood, Inc. v. City of Los Angeles, 191 Cal. App. 3d 259, 235 Cal. Rptr. 788 (1987).

The WP has already been the subject of significant, discretionary County decisions unaided by an EIR. Recent appellate court decisions make clear that no government decision on this project should further occur without a full CEQA impact assessment and review. Both the California Supreme Court's decision in Save Tara v. City of West Hollywood, 45 Cal. 4th 116, 194 P.3d 344, 84 Cal. Rptr. 3d 614 (2008), and the Court of Appeal's decision in Riverwatch v. Olivenhain Mun. Water Dist., 170 Cal. App. 4th 1186, 88 Cal. Rptr. 3d 625 (2009), concern the timing of CEQA review and both cases place it early on in the project approval process. In both cases, successful challenges were made to public-private agreements incident to development.

Save Tara involved a city's approval of a loan and draft agreement for a housing development that contemplated future CEQA compliance; Riverwatch involved an agreement for a water district to sell water to a private company, in a case in which an EIR had been prepared some time earlier for an aspect of the project. Here, there has never been any EIR, and the approval process has already proceeded through various discretionary approvals. Under these cases, a fortiori, the WP here should not go forward now without CEQA review.

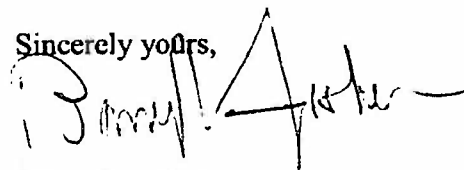
The WP was the subject of County Board of Supervisors project lease rights conferred on the the developer EMC Investment Company on October 28, 2003, and August 3, 2004, on the recommendation of the Department of Beaches and Harbors (DBH). Closed sessions and non-public real estate negotiations between the developer and the Board of Supervisors occurred at various times before and after those dates. The County has worked with the developer since and has supported its applications before the Design Control Board (DCB) and possibly other agencies which have considered the project, all without the benefits of any kind of impact analysis mandated by CEQA.

The WP will soon be the subject of development permit application to the Department of Regional Planning. The DBH has taken the position before the DCB that the DCB could not consider the project in any overall way since it had already been approved by the Board of Supervisors. At the August 28, 2008, DCB hearing on the project, the Acting Director of the DCB took strong exception even to the DCB's asking questions about the project, saying that the Board of Supervisors had cleared the project years before. The DBH's criticism of the DCB was used as a factor in the subsequent gutting by the Board of Supervisors of the DCB's power to review and approve projects. (Ord.2009-0004).

While the Board of Supervisors issued lease approvals to the developer for the project some 6 years ago and the project has moved forward, and will accelerate soon, there has never been a CEQA-required impact assessment. The facts are very similar to those in the recent Save Tara case, and I now write to learn whether you agree and that an EIR will be prepared on this project before any further action is taken on any discretionary decision of the County or State.

I hope this matter can be resolved amicably without litigation and ask that you respond within 20 days, or by April 28, 2009, to advise whether there is any possibility of such resolution.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Barry A. Fisher", with a long horizontal stroke extending to the right.

Barry A. Fisher

cc: Don Knabe, Chairman
L.A. County Board of Supervisors
822 Kenneth Hahn Hall of Administration
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Los Angeles, CA 90012

Mark Ridley Thomas
L.A. County Board of Supervisors
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Zev Yaroslavsky
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Waterfront Marina Del Rey Project (Parcels 33/NR) EMC Develop.Co.
CEQA Compliance-Save Tara and Riverwatch Cases
Page 4

bcc: Susan Cloke, Chair DCB
116 Fraser Avenue
Santa Monica, CA 90405

Gina Natoli
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Marina Del Rey

OUTRIGGER CANOE CLUB

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August 28, 2008

Design Control Board

Susan Cloke - Chair

Peter Phinney, AIA - Vice Chair

David Abelar - Member

Simon Pastucha - Member

Tony Wong, P.E.

RE: Parcels 33/NR - The Waterfront Marina del Rey, 4211 Admiralty Way - DCB #04-016-B

On behalf of the Marina Del Rey Outrigger Canoe Club ("MDROCC"), I'm writing to highlight certain areas of concern that the Waterfront Marina del Rey (the "development") that would affect our club as well as the general public. This development is coming before your board at the same time that DRP is soliciting comments and participation for the LCP Review process. Many of the issues that come up with this development coincide with the issues that need to be highlighted for the LCP Review.

The Waterfront is a significant project and will have a significant impact on the surrounding area including adjacent Mother's Beach. Whether positive or negative is undetermined at this point, but there are several areas of concern. Mother's Beach is a primary recreational boating venue of the Marina, especially for low cost, community based boating programs and clubs. We want to ensure that public access to this area is not inhibited in any way- due to encroachment on public land use, overcrowding, and insufficient or expensive parking.

As you know, public access and recreational boating (particularly non-motorized) are high priority uses in the Coastal Act and the statute clearly mandates protection of such uses. The last Periodic Review of the LCP (June '07) also states explicitly

"Staff also recommends that the County explore alternatives to slips to expand boating opportunities, such as creation of youth boating programs that provide low cost boat opportunities for youths, including disadvantaged youths; new storage facilities; day use rentals; reservation of slips for rental or boating membership programs; and increased opportunities to launch and use kayaks and other smaller craft." (p.9)

We expect that the current review will continue the prioritization of recreational boating and public access (including parking) and protection of non-motorized water sport activities and related facilities.

MDROCC and its members are daily recreational users of Mother's Beach with a history of over 40 years in the Marina. We keep our ten club canoes at Mother's Beach, as well as dozens of member owned single canoes. We have shared the beach with the Los Angeles Rowing Club, recreational kayakers, low cost sailing programs, children and at risk youth boating programs, and the general public at large. MDROCC has a history and vested interest in any development adjacent to Mother's Beach and we intend to participate fully during this process.

Comprehensive Land Use Planning

The land use planning around Mother's Beach has been occurring on a piecemeal basis, through individual development permits. There lacks any overall comprehensive land use planning. The master plan that was circulated has not been developed. The public and recreational aspects of the plan have been completely ignored without tying any of the facility upgrades to any of the multiple developments that impact Mother's Beach.

The recreational boating and public access to Mother's Beach will be impacted by all the new developments yet no study has been done of this, and no mitigation has been offered, much less completed. Comprehensive planning will benefit the entire region from which the Marina del Rey area draws, as it is a highly used and valued recreational area.

Comprehensive Parking and Traffic Planning

The development would displace the existing public parking lot across from Mother's Beach. The staff report states that the development is reserving 69 parking spaces for beach users. Presently there are 186 parking spaces available on the public parking lot. Even with no change of use that's a reduction of 60% of available spaces for the public.

"...the County should update the LCP to provide priority for free or lower cost public uses on waterfront parcels and strengthen development standards to preserve existing public and lower cost recreation facilities and facilities, such as public parking that support them." (p.85)

Sufficient: We would like to examine the methodology of how the County generated the number of required public parking spaces. Since beachgoers presently park in various parking lots in the area (which would all be gone by the time the development is completed), it would be a major inaccuracy to only count entries into the pay lot. With 292 new residential units, 45,000 s.f. commercial spaces, grocery store, drug store, public courtyards, and roof decks, there should be a major increase in parking demand. The increase in traffic and density should require MORE spaces, not less.

"The certified LCP also recognizes that the provision of adequate parking in support of recreation and visitor-serving uses is important and it is equally important that all development provide sufficient parking to meet their needs to avoid parking conflicts with recreational and visitor-serving users.

All new development has been required and has provided parking consistent with the certified LCP. The LCP also requires that public parking lots be conveniently located near key visitor attractions with adequate location signage (Recreation and Visitor-Serving uses, Policy e.8). Furthermore, no public parking lots are permitted to be converted to other uses other than for public park purposes (Recreation and Visitor-Serving uses, Policy e.12)" (p. 122)

Affordable: Presently, the public lot is \$3/day for most of year, and \$6/day during summer daytime hours. Since the pricing of the parking lot will be under the purview of the developer and not the County, there should be some sort of covenant that requires the pricing of the lot to be consistent with other public lots.

Accessible: Even with the provision of adequate beach parking, there needs to be some sort of way to ensure that residents or shoppers don't take up the spaces that should be available for recreational users. Since there are membership programs (including MDROCC) who use Mother's Beach daily, we would like to see some of parking pass available to those programs to ensure that recreational users will have spaces available.

Parking during construction: Since the proposed development is on the location of all the existing adjacent parking for Mother's Beach, there will be 2-3 years (based on the construction schedule) when there will be NO parking access for recreational users of Mother's Beach. Mitigation to this problem should be addressed prior to commencement of the development.

"Any project which relocates an existing coastal dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence." (p.43)

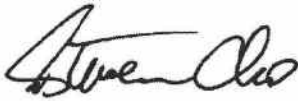
Facility Upgrades

The increased traffic, density, and use of Mother's Beach should increase dramatically with the new development. Approval of the development should be tied to the concurrent upgrade of the facilities on Mother's Beach, since the existing facilities are inadequate for existing use, much less the increased use brought on by the new development. The bathroom facilities should be expanded, and boat storage area should be revamped for efficiency and aesthetics. This would be a great time to implement some of the ideas presented in the Mother's Beach Master Plan. If any new use would entail significant hurdles, then an upgrade of existing facilities should be implemented at a bare minimum.

Since the development is requesting significant Land Use entitlements, exemptions from the height limit and other elements of the Local Coastal Plan, it is imperative that all aspects be examined to ensure that the stated goals and priorities of the Coastal Commission as well as the County's own LCP Review recommendations are adhered to, specifically the protection and expansion of recreational boating opportunities, support facilities, public access and parking, and low impact design planning to minimize water quality impacts. These priority uses of the Marina should not become collateral damage to any development.

Thank you for your consideration in this matter. We wish to stay involved in this matter, as well as the ongoing LCP process. Please include me in any mailing or notices regarding this project and feel free to contact me with any questions.

Regards,



Steven Cho, President
Marina Del Rey Outrigger Canoe Club
www.marinaoutrigger.org

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steven@choarchitecture.com

attachment: MDROCC packet

cc: Julie Moore
Gina Natoli
Santos Kreimann

Marina Del Rey

OUTRIGGER CANOE CLUB

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December 17, 2008

Design Control Board

Susan Cloke - Chair

Peter Phinney, AIA - Vice Chair

David Abelar - Member

Simon Pastucha - Member

Tony Wong, P.E.

RE: Parcels 33/NR - The Waterfront Marina del Rey, 4211 Admiralty Way - DCB #04-016-B

On behalf of the Marina Del Rey Outrigger Canoe Club ("MDROCC"), and the Marina Del Rey Recreational Boating Council, we are writing to reiterate our concerns which were highlighted during the previous DCB meeting regarding adequate beach parking for Mother's Beach, which have yet to be resolved.

The Waterfront is a significant project and will have a significant impact on the surrounding area including adjacent Mother's Beach. Whether positive or negative is undetermined at this point, but there are several areas of concern. Mother's Beach is a primary recreational boating venue of the Marina, especially for low cost, community based boating programs and clubs. We want to ensure that public access to this area is not inhibited in any way- due to encroachment on public land use, overcrowding, and insufficient or expensive parking.

The issues which were raised at the last DCB hearing for the Waterfront project are still relevant, and we urge the DCB to revisit those issues yet to be resolved. A primary issue is still the replacement of parking spaces for the public parking lot which the Waterfront project will displace. As is often the case, the amount of parking spaces can drive many design decisions in a complex project with various limitations. We feel it is critical to address the parking at this stage since it might affect the overall program of the development.

The parking lot being displaced is critical and PROTECTED because the LCP states that any parking for recreational boating needs to be replaced prior to any development (unless it becomes a park). Not only is the development not replacing the existing spaces, but reducing it. Any attempt for them to state that this is another "public parking" lot comparable to others is completely invalid, since this lot is specifically parking for RECREATIONAL BOATING. This lot will become the ONLY convenient parking available for recreational boat users, based on the proposed developments of the area.

Although the County may have issued a mandate to "right size" the parking lots to eliminate inefficiencies, the fact of the matter is that this specific lot is in a critical location, and bears close scrutiny. It also begs the question of whether it is important to have adequate long term plans for these lots beyond the immediate usage patterns. Regardless, the proposed parking to replace this lot is inadequate.

PROPOSED PARKING SPACES ARE INADEQUATE:

The development would displace the existing public parking lot across from Mother's Beach. The staff report states that the development is reserving 69 parking spaces for beach users. Presently there are 186 parking spaces available on the public parking lot. Even with no change of use that's a reduction of 60% of available spaces for the public.

The 260 spaces which the developer designates as "public" in no way replaces the current parking lot which serves recreational boating. Included in this number is the 191 spaces required for the commercial uses, and should not be included in the total. The real number is the 69 spaces replacing the 186 existing spaces.

Please note the following recommendations of the County LCP:

"...the County should update the LCP to provide priority for free or lower cost public uses on waterfront parcels and strengthen development standards to preserve existing public and lower cost recreation facilities and facilities, such as public parking that support them." (p.85)

"The certified LCP also recognizes that the provision of adequate parking in support of recreation and visitor-serving uses is important and it is equally important that all development provide sufficient parking to meet their needs to avoid parking conflicts with recreational and visitor-serving users. All new development has been required and has provided parking consistent with the certified LCP. The LCP also requires that public parking lots be conveniently located near key visitor attractions with adequate location signage (Recreation and Visitor-Serving uses, Policy e.8). **Furthermore, no public parking lots are permitted to be converted to other uses other than for public park purposes** (Recreation and Visitor-Serving uses, Policy e.12)" (p. 122)

The parking study data that the County is using is based on average entries into the pay lots. Since beach-goers presently park in various parking lots in the area (which would all be gone by the time the development is completed), it would be a major inaccuracy to only count entries into the pay lot.

INADEQUATE PARKING WILL LIMIT MOTHER'S BEACH:

Even assuming that the 69 spaces are adequate to replace current usage (for purposes of argument), it does not address several important variables:

1) Parking needs per Mother's Beach Master Plan (as presented by Keith Gurnee of RRM last month), which assumes current parking capacity. The proposed reduction in spaces will in effect hamstring any effort to upgrade the public use areas of Mother's Beach- a prime example of the lack of overall master planning in the county's decision making process.

2) Increase in parking demand from the new development. One of the stated goals of the Waterfront development is to create a "destination" which will draw traffic and activity to the area to bring new life to the area. An admirable goal, or debatable, but regardless- the designated parking does not factor the higher demand. With 292 new residential units, 45,000 s.f. commercial spaces, grocery store, drug store, public courtyards, and roof decks, there should be a major increase in parking demand. The increase in traffic and density should require MORE spaces, not less.

3) Growth of membership in Outrigger club and Rowing clubs. Since the Local Coastal Plan recommends supporting growth in membership recreational boating programs, there needs to be consideration of reasonable growth of these clubs, along with the resulting increased parking needs. The parking numbers proposed will prevent reasonable growth of these recreational boating entities.

PARKING STUDY:

Since the parking study commissioned by the County does not adequately represent the real life usage of the lot, we decided to conduct our own informal study to demonstrate the inadequacy of the County data.

On Saturday, Nov. 22nd, the outrigger and rowing clubs asked our members to park in the pay lot instead of parking at the adjacent restaurant parking lots. We did this so that there would be a record of entries at the parking kiosk which can be verified.

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This is a typical Saturday in November, with the numbers being significantly higher in summer (possibly 30 more vehicles at the peak time). This plainly shows that the 69 spaces that the County has designated is inadequate. If necessary, we can ask our members to present affidavits stating that the parking study does not reflect our parking patterns.

LOCATION AND INTERMINGLING OF PARKING:

The issue of combining the beach parking with the commercial parking will be critical so that commercial customers do not take any of the parking reserved for the beach users. Combining these lots will in effect make the beach parking an overflow lot for the commercial spaces. It probably would not be an issue for early morning periods, but will be an issue during the evenings and weekends. It is critical that there is a clear separation of beach parking with the commercial spaces- a sign by itself will not be adequate. Please note that "public parking" is not necessarily equitable with "public parking serving recreational boating"- since the latter is specifically targeted for reservation by the recommendations of the Coastal Commission.

PARKING DURING CONSTRUCTION:

Since the proposed development is on the location of all the existing adjacent parking for Mother's Beach, there will be 2-3 years (based on the construction schedule) when there will be NO parking access for recreational users of Mother's Beach. Mitigation to this problem should be addressed prior to commencement of the development. *This was addressed by the developer in their last response, but we want to ensure that it is specifically called out as a condition for approval in the approval process.*

PUBLIC FACILITIES UPGRADE:

Approval of the development should be tied to the concurrent upgrade of the facilities on Mother's Beach, since the existing facilities are inadequate for existing use, much less the increased use brought on by the new development. The bathroom facilities should be expanded, and boat storage area should be revamped for efficiency and aesthetics. This would be a great time to implement some of the ideas presented in the Mother's Beach Master Plan. If any new use would entail significant hurdles, then an upgrade of existing facilities should be implemented at a bare minimum. *This also was discussed with the developer and the County staff as a possibility, but again, we would like this specifically stipulated as a condition.*

Since the development is requesting significant Land Use entitlements, exemptions from the height limit and other elements of the Local Coastal Plan, it is imperative that all aspects be examined to ensure that the stated goals and priorities of the Coastal Commission as well as the County's own LCP Review recommendations are adhered to, specifically the protection and expansion of recreational boating opportunities, support facilities, public access and parking, and low impact design planning to minimize water quality impacts. These priority uses of the Marina should not become collateral damage to any development.

Thank you for your consideration in this matter.

Regards,

Steven Cho, President (Outgoing)
Chris King, President (Incoming)
Marina Del Rey Outrigger Canoe Club

Barry Fisher, Vice President
Los Angeles Rowing Club

David Lumian
Marina Del Rey Recreational Boating Council

cc: Charlotte Miyamoto
Santos Kreimann

**New Development Working Group
Final Report
April 30, 2009**

The New Development/Land Use Working Group met eight times to discuss the relevant issues and reached consensus on the following recommendations:

Coastal Commission Recommendation 15: (A) Although redevelopment of the 1994 DKS transportation model is not recommended as part of this review, any changes to the cap system (that is based upon the DKS study), if proposed, should be based on a revised model or equivalent comprehensive traffic analysis. (B) Amend LIP section 22.46.1180.A.11.b to reflect the County's current traffic study guidelines and its requirement that studies be based on and consistent with the most recent studies of major projects in the area, including models prepared for the Airport LAX expansion and Playa Vista Phase II traffic models.

The Working Group is concerned about increased traffic congestion in and around Marina del Rey. Consistent with its goal to maintain the quality of life and ambiance for Marina del Rey residents and visitors, this Working Group supports both of the Coastal Commission's recommendations that traffic studies prepared for Marina del Rey projects should be based upon and consistent with the most recent and comprehensive traffic models. This support is contingent upon community as well as agency review of the traffic analysis of both cumulative and project-specific impacts, including traffic counts generated by projects at full capacity. Also, traffic studies should address actual and future projected conditions in the Marina, including on weekends and during the summer, especially as it relates to the County parking lots and access to recreational uses.

Special care should be paid to ensure that the full regional impact of public and private projects within the City of Los Angeles is analyzed, including the Venice Sewer Force Main Project. Traffic mitigation should also account for emergency preparedness requirements specific to the residential and recreational character of the Marina del Rey community.

Coastal Commission Recommendation 16: The County should consider options for funding a bus/shuttle system. Such funding could be used to support a regional

bus/shuttle system operated by a regional or local government transit agency that serves Marina del Rey. The County should amend sections 22.46.1100.C.2 and 22.46.1190.A.3 and A.5 to require an ongoing assessment to support shuttle buses as part of all retail, residential, and hotel development, as a Category 1 improvement. If funding is required as part of a lease extension, the amount contributed should be acknowledged in the issuance of the Coastal Development Permit. Consider additional assessments for all projects.

The Working Group believes that more public transit should be made available between Marina del Rey and nearby residential and commercial areas (Santa Monica, El Segundo, Culver City) by regional or local government transit agencies which already serve the Marina and/or these adjacent communities, such as the Santa Monica "Big Blue Bus" line. The Working Group also notes its appreciation for the Playa Vista/Marina del Rey shuttle. The Working Group acknowledges that projects in Marina del Rey already pay a traffic mitigation fee, and urge that more consideration be given to the use of those fees for alternative transportation programs (including those mentioned in Coastal Commission recommendation #17) apart from road construction and/or signalization, for example.

Coastal Commission Recommendation 17: The County should amend LCP ordinances Sections 22.46.110.B, 22.46.1060 and 22.46.1190A.3, 5, 9 and 15 to require improvements or proportional contributions that would enhance non-automotive transportation from all development: pedestrian and alternative traffic modes; widened sidewalks; jitney stops; stops for water taxi; and, dinghy tie-ups as part of site plan review.

The Working Group supports the thrust of this recommendation. In particular, the Working Group notes that actual physical conditions for pedestrians and bicycle riders are unsatisfactory at many points in the Marina, and urges that higher priority be placed upon the completion of a continuous waterfront pedestrian promenade and a separate continuous bike path around Marina del Rey.

18. The County should amend LCP Ordinance Sections 22.46.1050, 22.46.1100.B.2 and Appendix G to include the improvement of pedestrian access across and along thoroughfares as part of roadway design.

The Group recommends that a concerted planning effort should be made to make Marina del Rey more “pedestrian-friendly.” In particular, pedestrian access improvements should be focused on “destinations,” in order to facilitate way-faring for pedestrians to the waterfront and other public amenities. For example, crosswalks should be better marked. Pedestrian access (i.e. dimensions of sidewalks) should be enhanced—and not physically diminished—as part of all redevelopment plans.

The current pedestrian design situation often pits pedestrians against bikers and kayakers. Adherence to the 22.46.1100 circulation system requirements should be encouraged by the Departments of Beaches & Harbors and Regional Planning through the planning and permit process and then strictly implemented by the Los Angeles County Department of Public Works in order to realize a goal for a continuous and separated bike path throughout Marina del Rey. Personal watercraft users should have easy access from adjacent surface parking lots along or across roads to Mothers’ Beach and to the Chace Park improvements to facilitate recreational boating.

Coastal Commission Recommendation 18A: In preparation for amending its LCP the County should undertake a comprehensive study of anticipated future development that includes all pending project driven amendments, fulfillment of Asset Management strategies, and other facilities identified through a community planning process.

Future redevelopment of Marina del Rey should be inspired by a vision of balanced redevelopment of an integrated residential, visitor-serving, and recreation-oriented community which is articulated in one governing document that incorporates cumulative impact considerations of all pending and anticipated future projects.

The Working Group believes that the cumulative impacts of the proposed redevelopment of the Marina need further articulation and discussion. The County of Los Angeles has committed to a comprehensive study of the impacts of the proposed redevelopment projects, and, before adoption, there should be a thorough public

vetting of the scope, assumptions, and redevelopment goals of this document.

Increased emphasis should be placed on individual projects consistent with the certified LCP, as it may be amended, including renovation of existing projects, as well as on public projects which enhance active and passive recreational opportunities at the Oxford flood basin, Mothers Beach, and Burton Chace Park.

Redevelopment projects which have proceeded in good faith through the regulatory process to date should have the opportunity to continue through the process to make the case for each individual project's consistency with the goals of the certified LCP and the Coastal Act. These projects need to be reviewed in light of the cumulative density, traffic, and other impacts of all proposed Marina and relevant City of Los Angeles projects.

Coastal Commission Recommendation 19: Revise the LCP to require that the County consider all pending project-driven amendments of the LCP that would change the designation of parcels from a public park or parking use at the same time. A project shall be considered pending if there is an approved term sheet allowing the applicant to apply for approval of the project. In considering such amendments, the County should analyze the total pattern of public serving and park uses in the Marina.

The Working Group is concerned about the lack of available and proposed park space in the Marina, especially along the high-density residential Via Marina corridor. The Working Group supports Recommendation 19 and, in particular, emphasizes that the certified LCP specifically prohibits any change in designation of any parcels from public parks or public parking to private use without equal and complete replacement.

During the planning process for the parcels at issue in Recommendation 19, the County should analyze current and future anticipated parking requirements with the primary priority to ensure there are no impediments to low-cost access and usage of parks, beach, recreational boating, the public launch ramp, and other public amenities. The Working Group believes other alternative public park uses should also be considered. In particular, project-driven amendments for County Parking Lots on Parcels GR and IR

should be considered collectively, since those surface parking lots are intended to provide low-cost access to, and usage of, Mothers Beach. Parcel NR should be retained to preserve the unique function it plays in facilitating low-cost recreational and personal-craft boating use.

20. The County should amend its LCP to include development standards that would incorporate the design elements in the Asset Management Strategy (similar to many of the LCP policies concerning public access and site design). For example:

- Maintain the visibility of public spaces;
 - Integrate the building with open space and access areas; and,
- Identify the County agency best qualified to undertake this review

The Group believes that only those design elements in the Asset Management Strategy which are consistent with the LCP should be incorporated into the LCP. The intensification of development in Marina del Rey should not be sufficient justification for proposals to decrease the amount and/or the visibility of public spaces and amenities in the Marina. For example, the Working Group recommends that “view corridors” be studied as part of the comprehensive planning process for the Marina as a whole, in order to identify and protect valuable current views and to maintain the current ambiance of the Marina.

21. The County should revise the LCP in order to include incentives to provide priority to free or lower cost public uses on waterfront parcels designated for residential use but developed with mixed uses, including visitor serving commercial and public facility uses.

The Working Group believes access to free or lower cost public uses on waterfront parcels should be a critical priority for the County going forward. The County should incentivize developers to build mixed use projects in exchange for the provision of free or lower cost public uses, subject to density and height limitations consistent with the LCP. Such incentives, which may require a project-specific amendment to the certified LCP, should be vetted in a public hearing process before inclusion in any development agreement between the County and the developer.

22. The County should amend the LCP to strengthen development standards to preserve existing public and lower cost recreation facilities including free facilities; assure that these facilities and public rights to them are maintained.

As noted above, the Working Group believes access to free or lower cost public uses should be a critical priority for the County, especially for water-oriented recreational opportunities. In particular, lower cost public parking should be preserved to support public use of free or lower cost recreation at and surrounding the key public amenities, including at Mothers' Beach, with special protection for the existing proximate parking lot on Parcel NR as well as collective consideration for the parking lots on parcels IR and GR. In particular, it is vital to maintain practical appropriate access for the users of personal watercraft at both Mothers' Beach and Chace Park.

23. The County should amend LCP Definitions to define "hotel" and should evaluate opportunities to protect the availability of, and encourage additional, short-term overnight accommodations in the Marina. To protect and maximize public access, LUP and LIP definitions and development standards should exclude private fractional ownership of hotel/motel rooms on publicly owned land designated for visitor or public uses. And for areas not designated for visitor use, in any hotel, motel or similar project that includes timeshare or fractional or condominium ownership components, the County shall address, among other factors, peak use demands in the summer, availability of units to the general public and operational provisions to require hotel/motel management of a facility. LCP Standards should ensure that such projects maximize public access in operation of the hotel/motel, including restrictions on the percentage of units privately [individually] owned and length of stay.

Members of the Working Group expressed strongly-held differences of opinion with regards to the prospect of Time Share fractional ownership in Marina del Rey. The Working Group includes individuals who oppose it on philosophical grounds. Those who support time share development are of the opinion that time shares are visitor-serving and that provision for fractional ownership of certain proportion of units is essential to the financing of hotels. Others propose that a cooperative ownership structure similar to the structure utilized elsewhere in the United States, including in Hawaii, should be considered as an alternative to time share fractional ownership. Even though it should be noted that visitor-serving uses are a higher priority in the Coastal Act than residential uses, there is more support for time share development on "hotel-designated"

parcels in commercial areas of the Marina rather than on parcels surrounded by residential uses.

24. **In-Lieu Fees for Lower Cost Overnight Visitor Accommodations.** The County should update the existing in-lieu mitigation fee LCP policy for new development of overnight visitor accommodations in the coastal zone that are not lower cost. The in-lieu fee would be required as a condition of approval of a coastal development permit, in order to provide significant funding to support the establishment of lower cost overnight visitor accommodations within the coastal area of Los Angeles County. The fee would be based on the per bed "mid-range" land acquisition and construction costs to build a lower cost overnight visitor accommodation in the coastal zone of Los Angeles County for 25% of the total number of proposed overnight visitor accommodations in the new development. The fee (i.e. \$30,000 in 2007) shall be adjusted annually to account for inflation according to increases in the Consumer Price Index – U.S. City Average.

The required in-lieu fees should be deposited into an interest-bearing account, to be established and managed by one of the following entities approved by the Executive Director of the Coastal Commission: Los Angeles County, Hostelling International, California Coastal Conservancy, California Department of Parks and Recreation or a similar entity. The purpose of the account should be to establish lower cost overnight visitor accommodations, such as new hostel beds, tent campsites, cabins or campground units, at appropriate locations within the coastal area Los Angeles County. The entire fee and accrued interest would be used for the above-stated purpose, in consultation with the Executive Director, within ten years of the fee being deposited into the account. Any portion of the fee that remains after ten years shall be donated to one or more of the State Park units or non-profit entities providing lower cost visitor amenities in a Southern California coastal zone jurisdiction or other organization acceptable to the Executive Director. Required mitigation shall be in the form of in-lieu fees as specified herein or may include completion of a specific project that is roughly equivalent in cost to the amount of the in-lieu fee and makes a substantial contribution to the availability of lower cost overnight visitor accommodations in Los Angeles County.

The Working Group believes that the *in lieu* fee arrangement proposed by the Coastal Commission is too onerous. It notes that the current fee agreed to in 1996 is approximately 25% of the proposed fee, and that the County and the Coastal Commission did not object when the current fee was imposed upon the Jamaica Bay Inn project approved in 2008. The Working Group proposes that any future change in the calculation of the fee reflect consistency with the fees imposed by other County of Los Angeles beach cities on similar projects. The Working Group supports the concept of the provision of both campsites and hostel accommodations near by Marina del Rey.